

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DOUGLAS R. HIGGINS,

Plaintiff,

v.

HENRY RICHARDS, *et al.*,

Defendants.

Case No. C05-5692 RBL/KLS

ORDER DENYING PLAINTIFF'S  
MOTION FOR RECONSIDERATION

On May 9, 2006, the court denied plaintiff's motion for a 120 day extension of the discovery and summary judgment deadlines. (Dkt. # 18). The court's order was based on plaintiff's failure to engage in discovery within the time provided in the court's scheduling order. After carefully reviewing the motion for reconsideration and the record, the court ORDERS as follows:

(1) Plaintiff's motion for reconsideration (Dkt. # 19) is **DENIED**. Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to the court's attention earlier with reasonable diligence." Local Rule CR 7(h)(1). Here, plaintiff has identified no error in the court's order, nor presented any new facts or legal authority that suggest reconsideration is appropriate. Plaintiff complains of a delay in the receipt of deposition

1 subpoenas from the clerk's office for service by another plaintiff in a separate case, Monte  
2 Hoisington v. Richards, *et al*, Case No. 05-5281RBL. Although the parties may have some informal  
3 agreement regarding the sharing of discovery, plaintiff is responsible for the conduct of his case. The  
4 Clerk's office received the subpoenas on April 4, 2006 and they were issued on April 14, 2006.  
5 Thus, there was sufficient time to schedule depositions before the discovery deadline of May 26,  
6 2006. Plaintiff's motion is therefore denied.

7 (2) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable  
8 Ronald B. Leighton.

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10 DATED this 20<sup>th</sup> day of July, 2006.

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13 Karen L. Strombom  
14 United States Magistrate Judge  
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